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T-865 P.003/008 F-662

FEB 25 2005

PTO/SB/54 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Docket Number (Optional)

14836-48177

First named inventor: Matthias SEEL et al.

Application No.: 10/520,954

Art Unit: Unassigned

Filed: 10 January 2005

Examiner: Unassigned

Title: ILLUMINATING DEVICE AND OPTICAL OBJECT-ANALYZING DEVICE

Attention: Office of Petitions
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
FAX (703) 872-9306

NOTE: If information or assistance is needed in completing this form, please contact Petitions
Information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the office notice or action plus an extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee - required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

- ☐ Small entity-fee \$ _____ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.
- ☒ Other than small entity - fee \$ 1,500.00 (37 CFR 1.17(m))

2. Reply and/or fee

- A. The reply and/or fee to the above-noted Office action in the form of Two Credit Card Authorization Forms for the required Filing Fee (identify type of reply):
and Petition Fee
- ☐ has been filed previously on _____
- ☒ is enclosed herewith.
- B. The issue fee and publication fee (if applicable) of \$ _____
- ☐ has been paid previously on _____
- ☐ is enclosed herewith.

(Page 1 of 2)

This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

02/25/2005 EKOL11 00000007 10520954

PAGE 3/8 * RCVD AT 2/25/2005 12:26:05 PM [Eastern Standard Time] * SVR:USPTO-EFXXF-1/1 * DNIS:8729306 * CSID:4043644578 * DURATION (mm:ss):02:52

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PTO/SB/84 (09-04)

Approved for use through 07/31/2008. OMB 0651-0031

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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3. Terminal disclaimer with disclaimer fee

☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Signature
Tim Tingkang Xia

Date
February 25, 2005

Typed or printed name
Morris, Manning & Martin, LLP, 3343 Peachtree Road NE
1600 Atlanta Financial Ctr Atlanta, Georgia 30326-1044

Registration Number, if applicable
45,242

Address

Telephone Number
404-495-3678

Enclosures: ☒ Fee Payment☐ Reply☐ Terminal Disclaimer Form☒ Additional sheets containing statements establishing unintentional delay☐ Other: _____

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

☐ Deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.☒ Transmitted by facsimile on the date shown below to the United States Patent and Trademark Office as (703) 872-9306.

Date
February 25, 2005

Signature
Tim Tingkang Xia

Typed or printed name of person signing certificate

[Page 2 of 2]

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICERECEIVED
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Applicant: Matthias SEEL et al. Examiner: Unassigned
 Serial No.: 10/520,954 Group Art Unit: Unassigned
 Intl. Filing Date 10 July 2003 Docker: 14836-48177
 Title: ILLUMINATING DEVICE AND OPTICAL OBJECT-ANALYZING DEVICE

FEB 25 2005

CERTIFICATE UNDER 37 CFR 1.8(a):

I hereby certify that this correspondence is being transmitted by facsimile to number 703-872-9306, Mail Stop: Petitions, Attention: Office of Petitions, Commissioner for Patents, United States Patent and Trademark Office on February 25, 2005.

By: 
 Name: Tim Tingkang Xia

STATEMENTS ESTABLISHING UNINTENTIONAL DELAY

Mail Stop: Petitions
 Attention: Office of Petitions
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

February 25, 2005

Sir:

Applicants hereby submit that the present application was deemed abandoned because when the application was filed, the required basic filing fee was not provided. The entire delay from the due date to pay the basic filing fee, January 12, 2005, until filing of this petition under 37 C.F.R. 1.137(b) today, was unintentional.

The undersigned believe the entire delay in paying the required basic filing fee was unintentional and hereby respectfully request that the petition for revival of this application be granted.

Adjustment date: 05/24/2005 If the Examiner believes that there are any issues that can be resolved by a telephone conference, or
 02/25/2005 EKOLI1 00000008 10520954
 01-FC:1001 that there are any informalities that can be corrected by an Examiner's amendment, please call the undersigned at 404-495-3678.

Adjustment date: 05/24/2005 SAHMED1
 02/25/2005 EKOLI1 00000008 10520954
 01-FC:1001 -790.00-0P-

February 25, 2005

Respectfully submitted,
 MORRIS, MANNING & MARTIN, LLP


 Tim Tingkang Xia
 Reg. No. 45,242
 Attorney for Applicant on the Record

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02/25/2005 EKOLI1 00000008 10520954

03-FC:1203

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